

These minutes were approved by the Board on 12.5.2022

MINUTES OF THE VIRTUAL CONFERENCING MEETING

Board of Cosmetology, Electrology, Esthetics, Nail Technology, and Body Art
November 7, 2022

1. ROLL CALL

The conference call meeting of the Board of Cosmetology, Electrology, Esthetics, Nail Technology, and Body Art was called to order by the Chair, Bridget Anderson, at 10:30 a.m., at the Nebraska State Office Building, 301 Centennial Mall South, Lower Level Room B, Lincoln, Nebraska. In accordance with § 84-1411 of the Nebraska Open Meetings Act, copies of the agenda were 1) mailed to the Board members and other interested parties, and 2) posted on the DHHS web site at <https://dhhs.ne.gov/licensure/Pages/Agendas-and-Minutes.aspx> and on the bulletin board in the Licensure Unit Lobby and posted 09.02.2022.

Members Present (10):

The following members answered roll call:

Bridget Anderson, Chair (in room)
Brandy Phillips, Member (in room)
Vicki Criswell, Member (in room)
Matt Bavougian, Member (in room)
Kyoung Bonn, Member (in room)
Ruth Lucas, Member (on call)
Pamela Rowland, Vice-Chair (in room)
Shannon Bingham, Member (in room)
Leslie Reed, Member (in room)
Harold "Buddy" Sims, Member (in room)

Members Absent (1):

Marie Nordboe, Member

Others Present:

Kris Chiles, Program Manager, Licensure Unit (in room)
Carrie Oldehoeft, [Licensure Unit \(in room\)](#)
TJ O'Neill – Assistant Attorney General (in room)
Joanna Uden, DHHS Attorney (in room)
Public (on call)

A quorum was present and the meeting convened.

2. ADOPTION OF AGENDA

MOTION: Criswell moved, seconded Rowland, to adopt the agenda. A voice vote was taken. Voting aye: Anderson, Bingham, Phillips, Criswell, Bavougian, Bonn, Lucas, Reed, Rowland, Sims (10). Voting nay: None (0). Absent: Nordboe (1). Vacant positions (2). Motion carried.

3. APPROVAL OF MINUTES:

Corrections requested:

Item #5 b: Criswell will contact other states and further research tattoo pigments. [Bavougian explained the 2 types of pigments, those made of metal](#) Salts and plastics

There was concern raised that because the state exam [prep booklet had moved to digital format and](#) was removed from Pivot Point text books, may be part of reason for number of failures.

Item #11: Anderson announced the next meeting is scheduled for ~~October 3~~ November 7, 2022, the examination work groups will report at that time, and declared the meeting adjourned at 3:18 p.m.

MOTION: Criswell moved, seconded Rowland, to adopt the minutes from 10.3.2022 with corrections. A voice vote was taken. Voting aye: Anderson, Bingham, Phillips, Criswell, Bavougian, Bonn, Lucas, Reed, Rowland, Sims (10). Voting nay: None (0). Absent: Nordboe (1). Vacant positions (2). Motion carried.

4. Updates/Follow-up

- a. Body Art Regulations 172 NAC 44

Chiles reported the regulations are being reviewed by the Attorney General's office.

- b. Advisory Positions: Esthetic Procedures and permanent make-up (BB Glow)
<https://dhhs.ne.gov/licensure/Pages/Cosmetology-Esthetics-and-Body-Art-Advisory-Opinions.aspx>

Criswell contacted other states and further research tattoo pigments. There was no consistency between states.

Bavougian will also bring up at NEHA (environment advisor)

After further conversations, the Board's position is that BB Glow falls under Permanent Color Technology and will be included in the Board's advisory positions.

- c. Cosmetology Licensure Compact Information <https://compacts.csg.org/compact-updates/cosmetology/>

Chiles reported that there is no update.

- d. Statistics: Examinations, Licensing, Disciplinary/Non-Disciplinary Information, and Renewals (report attached to agenda)

Information handed out that will be on agenda for December regarding the NIC conference to save mailing.

11:00 am	Anderson exited room
11:03 am	Reed exited room
11:04 am	Rowland exited room
11:04 am	Phillips exited room
11:05 am	Anderson entered room
11:05 am	O'Neill exited room
11:07 am	Reed entered room
11:10 am	Phillips entered room
11:10 am	O'Neill entered room
11:12 am	Rowland entered room

Public-Jane Nims, with Josephs College Cosmetology, commented on Vicki Criswell leaving and how much she has done for the board.

11:14 am Public exited the call

Board members introduced themselves to new members since the meeting was in person.

11:18 am Meyerson-Investigations entered the room

5. INVESTIGATIONAL & CONFIDENTIAL INFORMATION/REPORTS – CLOSED SESSION

MOTION: Sims moved, seconded by Criswell, to enter into closed session at 11: 21 a.m. for the purpose of

hearing discussions of an investigative/confidential nature and for the prevention of needless injury to the reputation of the individuals. Anderson repeated the motion and purpose. A voice vote was taken. Voting aye: Anderson, Bingham, Phillips, Criswell, Bavougian, Bonn, Lucas, Reed, Rowland, Sims (10). Voting nay: None (0). Absent: Nordboe (1). Vacant positions (2). Motion carried.

Chiles closed the public call in line.

11:25 am Cue-Investigations entered room
 11:33 am Meyerson exited room
 11:42 am Cue exited room

6. APPLICATION REVIEW, RECOMMENDATIONS AND REPORT OUT – OPEN SESSION

12:28 pm Verbal agreement from all board members to enter into open session.
 12:28 pm Break
 12:41 pm Resume open session

Amber Eichmann – Cosmetologist

MOTION: Sims moved, seconded by Bingham, to recommend issuance of the license with a 2-year probation with the following terms and conditions: Random body fluid screens, Abstain from Alcohol/Drug, Report prescribed medication, follow recommendations of assessment and any future recommendations, Quarterly employer reports, Basis: Conviction history and diagnosis. A voice vote was taken. Voting aye: Anderson, Bingham, Phillips, Criswell, Bavougian, Bonn, Lucas, Reed, Rowland, Sims (10). Voting nay: None (0). Absent: Nordboe (1). Vacant positions (2). Motion carried.

Brooke Jardine – Esthetician

MOTION: Criswell moved, seconded by Anderson, to recommend issuance of the license with a 6-month probation, with the following terms and conditions: Successfully complete the jurisprudence examination within 90 days and the Standard Terms and Conditions of probation. Basis: Conviction history and failure to disclose convictions. A voice vote was taken. Voting aye: Anderson, Bingham, Phillips, Criswell, Bavougian, Bonn, Lucas, Reed, Rowland, Sims (10). Voting nay: None (0). Absent: Nordboe (1). Vacant positions (2). Motion carried.

Abigail Brudny - Cosmetologist

MOTION: Criswell moved, seconded by Rowland, to recommend issuance of the license with a 6-month probation, with the following terms and conditions: Successfully complete the jurisprudence examination within 90 days and the Standard Terms and Conditions of probation. Basis: Conviction history and failure to disclose convictions. A voice vote was taken. Voting aye: Anderson, Bingham, Phillips, Criswell, Bavougian, Bonn, Lucas, Reed, Rowland, Sims (10). Voting nay: None (0). Absent: Nordboe (1). Vacant positions (2). Motion carried.

Ashley Bean- Esthetician-Reinstatement

MOTION: Sims moved, seconded by Criswell, to defer the recommendation to the next meeting. A voice vote was taken. Voting aye: Anderson, Bingham, Phillips, Criswell, Bavougian, Bonn, Lucas, Reed, Rowland, Sims (10). Voting nay: None (0). Absent: Nordboe (1). Vacant positions (2). Motion carried.

Dana Drees – Cosmetologist-Reinstatement

MOTION: Rowland moved, seconded by Criswell, to defer the recommendation to the next meeting. A voice vote was taken. Voting aye: Anderson, Bingham, Phillips, Criswell, Bavougian, Bonn, Lucas, Reed, Rowland, Sims (10). Voting nay: None (0). Absent: Nordboe (1). Vacant positions (2). Motion carried.

7. WORKING LUNCH BREAK

8. CONFIDENTIAL INFORMATION – CLOSED SESSION

MOTION: Bingham moved, seconded by Sims, to enter into closed session at 12:50 p.m. for the purpose of discussions of confidential nature to review the jurisprudence examination. Anderson repeated the motion and purpose. A voice vote was taken. Voting aye: Anderson, Bingham, Phillips, Criswell, Bavougian, Bonn, Lucas, Reed, Rowland, Sims (10). Voting nay: None (0). Absent: Nordboe (1). Vacant positions (2). Motion carried.

12:51 pm Oldehoeft exited room

9. OPEN SESSION

3:08 p.m. Verbal agreement from all board members to enter into open session.

10. Board Member Recognition

Vicki Criswell was recognized for her 10 years of service, her many hours of research relating to new equipment, tools and services that estheticians question if they can use/provide, and countless hours of work on the regulations and jurisprudence examinations.

11. ADJOURNMENT

Anderson announced the next meeting is scheduled for December 5, 2022, the examination work groups will report at that time, and declared the meeting adjourned at 3:20 p.m.

Submitted,

Bridget Anderson, Chair
Board of Cosmetology, Electrology, Esthetics, Nail Technology, and Body Art
Summarized by the Licensure Unit